EXAMINER'S AMENDMENT

This action is in response to Applicant's amendment filed July 14, 2008. Claims 41-51 have been cancelled. Claims 52 and 53 have been newly added. Claims 1-40 and 52-53 are pending in the present application.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory Lunt on October 20, 2008.

The application has been amended as follows:

1. A method of managing network traffic in a quality of service (QoS) enabled network, wherein quality of service is based on one or more qualitative factors, the method comprising,

determining that the QoS enabled network is configured to transmit and receive network messages using ~~the~~ <u>a</u> resource reservation protocol;

extending the resource reservation protocol to include, for each data transmission request, qualitative information including the type of service requested, an application identifier, and the identity of a sub flow of the identified application;

receiving a data transmission request for network resources via the resource

reservation protocol from a software application that is unable to quantify resource

reservations as a result of characteristically short data transmission bursts, the request

including a DCLASS object including information identifying an application;

evaluating the information identifying the application against policy information;

and

determining access to network resources based on a result of the evaluation.

12. A method of requesting network resources in a quality of service (QoS)

enabled network, wherein quality of service is based on one or more qualitative

factors, the method, comprising:

determining that the QoS enabled network is configured to transmit and receive

network messages using the a resource reservation protocol;

extending the resource reservation protocol to include, for each data

transmission request message, qualitative information including the type of service

requested, an application identifier, and the identity of a sub flow of the identified

application;

constructing a data transmission request message in accordance with the

resource reservation protocol from a software application that is unable to quantify

resource reservations as a result of characteristically short data transmission bursts, the

request message <u>including a DCLASS object</u> including information identifying a type

thereof as qualitative;

sending the request message to request network resources, the request

message passing through at least one network device that evaluates the qualitative

information in the request message to determine access to network resources; and

determining access to network resources based on a result of the evaluation.

26. A method of managing network traffic in a quality of service (QoS) enabled

network, wherein quality of service is based on one or more qualitative factors, the

method comprising:

determining that the QoS enabled network is configured to transmit and receive

network messages using ~~the~~ a resource reservation protocol;

extending the resource reservation protocol to include, for each data

transmission request, qualitative information including the type of service requested, an

application identifier, and the identity of a sub flow of the identified application;

receiving a data transmission request for network resources via the resource

reservation .protocol from a software application that is unable to quantify resource

reservations as a result of characteristically short data transmission bursts, the request

<u>including a DCLASS object</u> including qualitative information;

evaluating the qualitative information in the request against policy information;

returning information based on a result of the evaluation including information

that specifies to an upstream sender how to mark packets for classification thereof; and

determining access to network resources based on a result of the evaluation.

31. In a computer network, a system for providing quality of service via a

signaling protocol, comprising:

a sender, the sender determining that ~~the~~ a QoS enabled network is configured

to transmit and receive network messages using ~~the~~ a resource reservation protocol,

extending the resource reservation protocol to include, for each data transmission

request, qualitative information including the type of service requested, an application

identifier, and the identity of a sub flow of the identified application and providing a

message comprising qualitative information therein including information identifying an

application;

a receiver, the receiver receiving the message from the sender, <u>the message</u>

<u>including a data transmission request for network resources via the resource</u>

<u>reservation protocol from a software application that is unable to quantify resource</u>

<u>reservations as a result of characteristically short data transmission bursts</u>, and

providing a return message including <u>a DCLASS object</u> in response thereto; and

a policy enforcement device, the policy enforcement device evaluating at least

one of the messages communicated between the sender and the receiver, and

determining access to resources based on a result of the evaluation.

53. 1. A method of managing network traffic in a quality of service (QoS) enabled

network, wherein quality of service is based on one or more qualitative

factors, the method comprising,

determining that the QoS enabled network is configured to transmit and receive

network messages using ~~the~~ a resource reservation protocol;

extending the resource reservation protocol to include, for each data

transmission request, qualitative information including the type of service requested, an

application identifier, and the identity of a sub flow of the identified application;

receiving a data transmission request for network resources via the resource

reservation protocol from a software application that is unable to quantify resource

reservations as a result of characteristically short data transmission bursts, the request

including a DCLASS object including qualitative information;

evaluating the qualitative information in the request against policy information;

returning information based on a result of the evaluation including information

that specifies to an upstream sender how to mark packets for classification thereof; and

determining access to network resources based on a result of the evaluation.

The following is an examiner's statement of reasons for allowance: in

combination with every elements in the claims, the prior art of record fails to teach

"extending the resource reservation protocol to include, for each data transmission

request, qualitative information including the type of service requested, an application

identifier, and the identity of a sub flow of the identified application" and "receiving a

data transmission request for network resources via the resource reservation protocol

from a software application that is unable to quantify resource reservations as a result of

characteristically short data transmission bursts, the request including a DCLASS object

including information identifying an application."

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ALINA N. BOUTAH whose telephone number is

(571)272-3908. The examiner can normally be reached on Monday-Thursday (9:00 am

- 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alina N Boutah/
Examiner, Art Unit 2443